

REMARKS

Applicant requests favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Claims 1-7 are now pending in this application, with Claim 1 being the sole independent claim. By this Amendment, Applicant has amended the specification and Claims 1-4 and 6, and added new Claim 7. No new matter has been added.

The drawings stand objected to inasmuch as the Office Action indicates that they contain blank boxes and other shapes which require the use of a suitable legend. Applicant respectfully traverses this objection. The boxes and shapes provided in the figures include lead lines and accompanying reference numerals which are discussed in the specification. Accordingly, one of ordinary skill in the art would understand the various features shown in the figures in view of the accompanying written description.

Claims 1-5 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,627,669 (Orino, et al.) in view of U.S. Patent No. 4,023,756 (Baker). Applicant traverses this rejection.

As recited in independent Claim 1, Applicant's invention is directed to an optical space transmitter including a light source, an optical system, a temperature detector and control means. The light source emits a light beam modulated according to a signal to be transmitted. The optical system sends out the light beam emitted from the light source as a transmission light beam with an angle of expansion. The temperature detector detects the internal temperature of the optical space transmitter. Further, the control means controls the optical space transmitter such that the angle of expansion increases when the internal temperature detected by the temperature detector rises.

With the features of the present invention, the diameter of the transmission light beam is altered by varying the angle of expansion, based on a detected temperature. Typically, a higher temperature indicates agreeable weather and good visibility.

Consequently, with the present invention, the angle of expansion may be increased in such circumstances indicative of good visibility so that the transmitted light beam (now made wider) can be more easily received by a partner device. A lower temperature often indicates less pleasant weather and poorer visibility. Consequently, it is preferable to decrease the angle of expansion of the transmission light beam in such circumstances so that the intensity thereof can be increased, to combat poorer visibility.

Orino, et al. is directed to an optical transmitter/receiver. The Office Action cites that document as describing varying the angle of expansion of a transmission light beam. Specifically, the Office Action refers to column 5, lines 52-65, of that document as describing such an operation. Applicant submits, however, that Orino, et al., and specifically that portion of the patent, describes correcting/changing a direction of a light beam (i.e., varying the orientation of the optical axis). Baker is directed to a thermopneumatic support device that causes positional changes based on thermal variations. As discussed in the present specification, a positional change of a light beam is not the same as a change in the angle of expansion of the light beam.

Applicant submits that the positional changes described in Orino, et al. and Baker are not suggestive of varying of the angle of expansion of a light beam, which changes the diameter of the projected beam, rather than the orientation of its optical axis.

Accordingly, Applicant submits that Orino, et al. and Baker, taken alone or in combination, fail to disclose or suggest at least the features of controlling an optical space transmitter such that the angle of expansion of a transmission light beam increases when the internal temperature of the optical space transmitter rises, as generally recited in independent Claim 1.

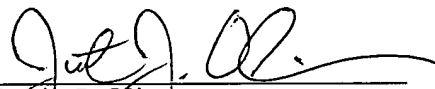
For the foregoing reasons, Applicant submits that independent Claim 1 is allowable over the documents of record. The remaining claims in the present application are dependent claims which depend from independent Claim 1, and thus are patentable

over the applied documents for reasons noted above with respect to that independent claim. In addition, each recites features of the invention still further distinguishing it from the applied documents. Applicant requests favorable and independent consideration thereof.

In view of the comments above, Applicant requests withdrawal of the rejection under 35 U.S.C. § 103.

Applicant's undersigned attorney may be reached in our Washington D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


Justin J. Oliver
Attorney for Applicant
Registration No. 44,986

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

JJO/tmm